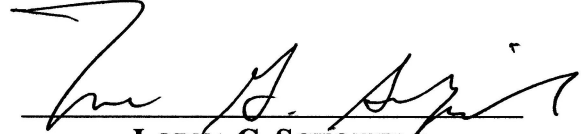


Application **GRANTED** in part. The motion to dismiss at Dkt. 59 is **DENIED** as moot without prejudice to renewal. This action is **DISMISSED** without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis.

via ECF
Dated: December 30, 2024
New York, New York

The Hon. Lorna G. Schofield
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

December 13, 2024

Re: *US ex rel. Kurzman v Microsoft*, 1:19cv4270-LGS (SDNY)

Your Honor,

I write today with consent of Defendant Microsoft to inform the Court that the parties have reached an agreement in principle to resolve Relator's claims in this matter, and are in the process of preparing a written agreement.

As Your Honor is aware, the United States must approve the voluntary dismissal of a relator's claims in a *qui tam* action such as this. The United States informed us today that they would be willing to approve an agreement as proposed.

In light of these developments, the parties respectfully request that the Court hold in abeyance any decision on the pending Motion to Dismiss (ECF 59) while the parties work to finalize their agreement.

Respectfully,



Patrick S. Almonrode
BROWN, LLC

Attorneys for Relator John Kurzman

Cc: Eric Sitarchuk
Jaclyn Unis Whittaker
Attorneys for Defendant Microsoft